

Act No. 456  
Public Acts of 2012  
Approved by the Governor  
December 22, 2012  
Filed with the Secretary of State  
December 27, 2012  
EFFECTIVE DATE: March 31, 2013

**STATE OF MICHIGAN  
96TH LEGISLATURE  
REGULAR SESSION OF 2012**

Introduced by Rep. Graves

# **ENROLLED HOUSE BILL No. 5902**

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 17d of chapter XVII (MCL 777.17d), as added by 2002 PA 28.

*The People of the State of Michigan enact:*

## **CHAPTER XVII**

Sec. 17d. This chapter applies to the following felonies enumerated in chapter 752 of the Michigan Compiled Laws:

| <b>M.C.L.</b> | <b>Category</b> | <b>Class</b> | <b>Description</b>                                                       | <b>Stat Max</b> |
|---------------|-----------------|--------------|--------------------------------------------------------------------------|-----------------|
| 752.802       | Property        | H            | Manufacture or sale of slugs for use in vending machines                 | 5               |
| 752.811       | Property        | H            | Breaking and entering a coin operated device                             | 3               |
| 752.861       | Person          | G            | Careless discharge of firearm causing injury or death                    | 2               |
| 752.881       | Person          | G            | Reckless use of bow and arrow resulting in injury or death               | 2               |
| 752.1003      | Property        | F            | False claim, statement, or representation to obtain health care benefits | 4               |

|             |          |   |                                                                                             |    |
|-------------|----------|---|---------------------------------------------------------------------------------------------|----|
| 752.1004    | Property | F | Soliciting, paying, or receiving kickback or receiving referral fee for health care payment | 4  |
| 752.1005    | Property | H | Conspiring to commit health care fraud                                                      | 10 |
| 752.1006    | Property | D | Health care fraud — subsequent offense                                                      | 20 |
| 752.1054(2) | Property | G | Copying audio or video recordings for gain                                                  | 5  |
| 752.1084    | Property | G | Organized retail crime act violation                                                        | 5  |

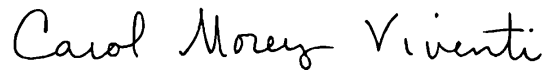
Enacting section 1. This amendatory act takes effect March 31, 2013.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 5843 of the 96th Legislature is enacted into law.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor